



University of Hawaii at Manoa

Environmental Center
Crawford 317 • 2550 Campus Road
Honolulu, Hawaii 96822
Telephone (808) 948-7361

July 5, 1990
RP:0126

Lt. Col. Donald T. Wynn
District Engineer (PODCO-O)
U.S. Army Corps of Engineers
Building 230
Ft. Shafter, Hawai'i 96858

Dear Lt. Col. Wynn:

Application for Department of the Army Permit
Ka'elepulu Pond
Kailua, O'ahu

The Environmental Center has conducted a brief review of the above referenced document with the assistance of Casey Jarman, Law; and Corolyn Cook, Environmental Center.

The applicant wishes to obtain after-the-fact approval for fill material placed without authorization in wetlands adjacent to Ka'elepulu Pond. Authorization is also sought for additional fill to prepare the land for residential development.

The impacts of the previous unauthorized filling of these wetlands have been extremely detrimental to wetland habitat and to water quality in the pond. We note that a Memorandum of Agreement (MOA) between the U.S. Army Corps of Engineers and the Environmental Protection Agency was signed on November 14, 1989 providing for the avoidance of adverse impacts to existing aquatic resources including wetlands. A preeminent policy goal of "no overall net loss of values and functions" was articulated clearly in this MOA, and it was stipulated that if on-site compensation for the loss of wetlands cannot be made, off-site compensation can be substituted as a mitigative last resort. Since it is apparent that removal of the previously placed fill would result in even more severe environmental damage, we strongly recommend that the applicant be required to offset the loss by creating four acres of wetlands at another area. We further suggest that the mitigation plan be subject to public review to allow for expression of community concerns and approval of whatever mitigation is ultimately proposed.

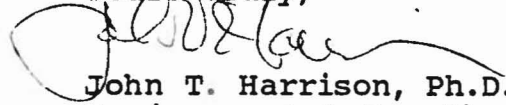
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Thank you for the opportunity to comment on this document.

Yours truly,

A handwritten signature in dark ink, appearing to read "John T. Harrison", is written over the typed name.

John T. Harrison, Ph.D.
Environmental Coordinator

cc: L. Stephen Lau
Casey Jarman
Carolyn D. Cook